

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2009-007394-001 DT

08/10/2010

COMMISSIONER PAMELA D. SVOBODA

CLERK OF THE COURT  
D. Courtemanche  
Deputy

STATE OF ARIZONA

MICHAEL R MORRISON

v.

TIMOTHY MICHAEL KISSIDA (001)  
DOB: 03/15/1986

MICHAEL S BAKER

APO-SENTENCINGS-CCC  
APPEALS-CCC  
AZ DOC  
DISPOSITION CLERK-CSC  
RFR  
VICTIM SERVICES DIV-CA-CCC

SENTENCE - IMPRISONMENT AND PROBATION

9:20 a.m.

Courtroom CRDU2

State's Attorney:	Michael Morrison
Defendant's Attorney:	Michael Baker
Defendant:	Present
Court Reporter:	Yvonne De La Torre

Michael Kissida makes a statement to the Court.

Count(s) 1-3: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

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OFFENSE: Count 1: Manslaughter

Class 2 Felony

A.R.S. § 13-1101, 1103, 28-3001, 3004, 3005, 3315, 13-701, 702, 801, 704

Date of Offense: 08/08/2009

Dangerous pursuant to A.R.S. § 13-704 - Non Repetitive

OFFENSE: Count 2: Leaving Scene of a Fatal Injury Accident

Class 2 Felony

A.R.S. § 28-663, 661, 3001, 3304, 3305, 3315, 13-701, 702, 801

Date of Offense: 08/08/2009

Non Dangerous - Non Repetitive

OFFENSE: Count 3: Tampering with Physical Evidence

Class 6 Felony

A.R.S. § 13-2809, 2801, 701, 702, 801

Date of Offense: 08/08/2009

Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 10.5 year(s) from 08/10/2010

Presentence Incarceration Credit: 81 day(s)

Presumptive

Sentence is concurrent with Count 3 of this cause.

Count 3: 1 year(s) from 08/10/2010

Presentence Incarceration Credit: 81 day(s)

Presumptive

Sentence is concurrent with Count 1 of this cause.

Community Supervision: Count 1 and 3 - Waived pursuant to A.R.S. § 13-603(K) and 41-1604.07(D), due to the term of probation in Count 2.

In the event the Defendant is released by the Department of Corrections on a temporary release basis pursuant to A.R.S. §31-233, and a term of Community Supervision has been waived pursuant to A.R.S. §13-603(K), the length of probation shall be extended to include the time of Defendant's temporary release, pursuant to A.R.S. §13-901(B).

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IT IS ORDERED suspending imposition of sentence and, under the supervision of the Adult Probation Department (APD), placing the defendant on probation for:

Count 2 Probation Term: 3 years

Upon absolute discharge from prison for a separate offense in Counts 1 and 3 of this cause.

Conditions of probation include the following:

Condition 16 - Restitution, Fines, and Fees:

PROBATION SERVICE FEE: Count 2 - \$65.00 per month.

ASSESSMENTS:

Count 2: PROBATION SURCHARGE: \$20.00.

Payment to commence on date to be determined by the APD and is due on the same day of each month thereafter until paid in full.

All amounts payable through the Clerk of the Superior Court.

The Court retains jurisdiction for any future restitution hearings.

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail [cforesponse@mail.maricopa.gov](mailto:cforesponse@mail.maricopa.gov). The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Additional Monetary Information: Defendant waives his presence for all future restitution hearings in this cause.

Condition 17 - Not consume or drink any substance containing alcohol.

Condition 24 - Participate and cooperate in any counseling or assistance as directed by the APD as noted in the Uniform Conditions of Supervised Probation.

Condition 26 - Other: Do not operate a motor vehicle without a valid driver's license.

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Count(s) 1 and 3: IT IS ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

Count(s) 2: IT IS FURTHER ORDERED Defendant be released from custody for this count only.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

IT IS ORDERED Count 3 shall be designated a felony.

9:36 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/ s / COMMISSIONER PAMELA D. SVOBODA

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JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)